

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MILES DAVIS

Plaintiff,

v.

ANTONIO ALVAREZ,

Defendant.

Case No. 19-13062

Honorable Linda V. Parker

Magistrate Judge Elizabeth A. Stafford

**ORDER REQUIRING THE MARSHAL SERVICE TO LOCATE
AND ATTEMPT TO PERSONALLY SERVE
DEFENDANT ANTONIO ALVAREZ AND EXTENDING SUMMONS**

In January 2022, this Court ordered the Marshal Service to make reasonable efforts to locate Defendant Antonio Alvarez. ECF No. 48. The Marshal Service then attempted to serve a summons, waiver of summons, and a copy of the complaint on Alvarez by certified mail. ECF No. 51. But by email, the Court was notified that the service documents were returned unopened.

The Marshal Service must now find or confirm Alvarez's address by using public internet websites and it must attempt to personally serve Alvarez. *See Johnson v. Herren*, No. 2:13-CV-583, 2013 WL 6410447, at *2–4 (S.D. Ohio Dec. 9, 2013); *Anderson v. Furst*, No. 17-12676, 2018 WL

2967455, at *2 (E.D. Mich. June 13, 2018); *Annabel v. Erichsen*, No. 2:15-CV-10345, 2017 WL 3493609, at *3 (E.D. Mich. Aug. 15, 2017).

The time for service of the summons is extended to **March 8, 2022**, and the Marshal Service must inform the Court of the results of its attempt to personally serve Alvarez by that date. See *Neal v. City of Detroit Police Dep't*, No. 17-13170, 2018 WL 8608298, at *1 (E.D. Mich. Jan. 19, 2018).

IT IS SO ORDERED.

Dated: February 8, 2022

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

NOTICE TO PARTIES ABOUT OBJECTIONS

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.”** E.D. Mich. LR 72.2.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 8, 2022.

s/Marlana Williams
MARLENA WILLIAMS
Case Manager